

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

In re:	)
FAIRFIELD SENTRY LIMITED, et al.,	) Chapter 15 Case
Debtors in Foreign Proceedings.	) Case No: 10-13164 (SMB)
	) Jointly Administered
	)
FAIRFIELD SENTRY LIMITED (IN LIQUIDATION) and	)
FAIRFIELD SIGMA LIMITED (IN LIQUIDATION),	)
acting by and through the Foreign Representative thereof,	) Adv. Pro. No. 10-03635
and KENNETH KRYS, solely in his capacity as Foreign	) (SMB)
Representative and Liquidator thereof,	)
	)
Plaintiffs,	)
-against-	)
ABN AMRO SCHWEIZ AG A/K/A ABN AMRO	)
(SWITZERLAND) AG, et al.,	)
	)
Defendants.	)
This document is also being filed in the lead adversary	)
proceeding, <i>Fairfield Sentry Ltd. (in Liquidation) et al. v.</i>	)
<i>Theodoor GGC Amsterdam et al.</i> , Adv. Pro. No. 10-03496.	)
	)

**JOINDER OF CLARIDEN LEU LTD. AND CREDIT SUISSE AG ZURICH TO  
HSBC DEFENDANTS' (1) OBJECTION TO LIQUIDATORS' PROPOSED  
SCHEDULING ORDER ON PERSONAL JURISDICTION BRIEFING AND  
DISCOVERY AND (2) NOTICE OF COUNTER-PROPOSED ORDER**

Defendants Clariden Leu Ltd. and Credit Suisse AG Zurich, by and through their undersigned counsel, respectfully join in: (i) the HSBC Defendants' (1) Objection to Liquidators' Proposed Scheduling Order on Personal Jurisdiction Briefing and Discovery and (2) Notice of Counter-Proposed Order (ECF No. 3884)<sup>1</sup> (the "HSBC Objection") to the Notice of Filing and Presentment of Scheduling Order on Personal Jurisdiction Briefing and Discovery (the

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<sup>1</sup> Unless otherwise noted, references to "ECF No. \_\_" are to entries in Adv. Pro. No. 10-03496.

“Liquidators’ Proposed Order”) filed by the Liquidators on September 23, 2021 (ECF No. 3883); and (ii) the HSBC Defendants’ counter-proposed order accompanying the HSBC Objection (ECF No. 3884-1) (the “HSBC Defendants’ Proposed Order”).

For the reasons set forth in the HSBC Objection, Clariden Leu Ltd. and Credit Suisse AG Zurich object to the Liquidators’ Proposed Order, and respectfully request that the Court enter the HSBC Defendants’ Proposed Order.

This joinder is not and shall not be construed as a waiver of any of Clariden Leu Ltd.’s or Credit Suisse AG Zurich’s jurisdictional, substantive, or procedural rights, remedies, and defenses, all of which are hereby expressly preserved.

Dated: September 28, 2021  
New York, New York

Respectfully submitted,

**O’MELVENY & MYERS LLP**

By: /s/ William J. Sushon  
William J. Sushon  
Daniel S. Shamah  
7 Times Square  
New York, New York 10036  
Telephone: (212) 326-2000  
Facsimile: (212) 326-2061  
wsushon@omm.com  
dshamah@omm.com

*Attorneys for Defendants Clariden Leu Ltd.  
and Credit Suisse AG Zurich*